

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

KHALID AWAN,)	
)	
Plaintiff,)	
)	
v.)	
)	
DJ HARMON, <i>Warden–Seagoville,</i>)	
<i>et al.,</i>)	
)	
Defendants.)	Civil Action No. 3:17-CV-130-C-BH

ORDER

Before the Court are the Findings, Conclusions, and Recommendation of the United States Magistrate Judge therein advising the Court that Plaintiff's official capacity claims arising under the Federal Tort Claims Act should be dismissed without prejudice and that all remaining claims should be dismissed with prejudice under 28 U.S.C. § 1915A(b).¹

The Court has reviewed the Findings, Conclusions, and Recommendation for clear error and finds none. It is therefore **ORDERED** that the Findings, Conclusions, and Recommendation are hereby **ADOPTED** as the findings and conclusions of the Court. For the reasons stated therein, the Court **ORDERS** that Plaintiff's official capacity claims arising under the Federal Tort Claims Act be **DISMISSED** without prejudice for failure to exhaust administrative

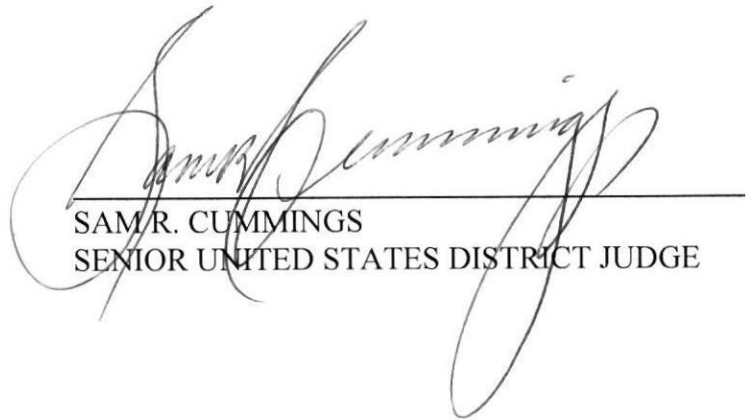
¹ Plaintiff has failed to file objections to the Magistrate Judge's Findings, Conclusions, and Recommendation and the time to do so has now expired.

remedies. All remaining claims are hereby **DISMISSED** with prejudice under 28 U.S.C.

§ 1915A(b).

SO ORDERED.

Date June 30, 2021.



SAM R. CUMMINGS
SENIOR UNITED STATES DISTRICT JUDGE